

FAX

McHale & Slavin, P.A.

■ *Intellectual Property Attorneys* ■



Date: April 23, 2003

To: Mrs. Ivey
Ms. Valeria Kinard

Recipient Fax #: (703) 308-7749

From: Susan Hess

Reference / Matter #: 2132.036

Subject: Serial No. 09/845,765

PAGES (Including Cover Page): 18

Remarks

Further to our telephone conversation of today, I am enclosing copies of the Response to Notice to File Missing Parts, Preliminary Amendment, Declaration and copy of our return stamped postcard indicating that the OIPE received our documents on September 10, 2001.

Please note that since the above documents were filed on September 10, 2001 via express mail, we have filed numerous documents with the PTO. Once we attend to the matter of our Response to Notice to File Missing Parts being entered, I would like to verify that all other documents have been received and entered.

Thank you for your assistance in this matter.

McHale & Slavin, P.A.

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2132.036

CERTIFICATE OF EXPRESS MAIL

Express Mail Mailing Label: EL824281951US

I HEREBY CERTIFY that the following correspondence:
RESPONSE TO NOTICE OF MISSING PARTS including Signed Declaration and Formalities Letter; Preliminary Amendment regarding U.S. Serial No. 09/845,765 is being deposited by *EXPRESS Mail Mailing Certificate; RETURN-RECEIPT postcard to:*

**COMMISSIONER OF PATENTS & TRADEMARKS
WASHINGTON D.C. 20231**

THIS THE 10th DAY OF September 2001.

I HEREBY declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code.


Erin P. Monahan, Provisional Reg # P48,804

MCHALE & SLAVIN, P.A.
4440 PGA Blvd., Suite 402
Palm Beach Gardens, FL 33410
PH: (561) 625-6575;
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Date: 9/10/01 Docket No. 2132.036
 Ser. No. 09/845,765
 Applicant: JACKOWSKI et al

HONORABLE COMMISSIONER OF PATENTS & TRADEMARKS

Please acknowledge receipt of the following by stamping the date of receipt.

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PATENT RELATED

TRADEMARK RELATED

<input type="checkbox"/> Pat. Appl. (spec/claims/abstract)	<input type="checkbox"/> TM/Sm Appl. AU/ITU
<input type="checkbox"/> Pat Drawings <u> </u> sheets <u> </u> informal	<input type="checkbox"/> TM/SM Drawing sheet
<input type="checkbox"/> Pat. Trans./ <u> </u> Utility/ <u> </u> Design/ <u> </u> Fee Trans.	<input type="checkbox"/> TM/Sm Transmittal
<input type="checkbox"/> Pat. Decl/Power of Attorney	<input type="checkbox"/> TM Amend/Response
<input type="checkbox"/> Issue Fee Trans. (PTOL-85B)	<input type="checkbox"/> Statement of Use
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<input type="checkbox"/> IDS & Form 1449	<input type="checkbox"/> Sec. 2.20 Decl/sub.specs.
<input type="checkbox"/> PCT Appl/Transmittal/Request	<input type="checkbox"/> Trademark Renewal
<input type="checkbox"/> Pat. Amendment/Response	<input type="checkbox"/> Sect. 8/15 Affidavit
<input type="checkbox"/> Maint. Fee Sub <u> </u> Years	<input type="checkbox"/> Fee of \$ <u> </u> Check No. <u> </u>

Other: Not Missing Parts; Signed Declar; Deposit;
Finalities Letter; Prelim Dm

EM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Jackowski et al
INVENTION : BIOPOLYMER MARKER INDICATIVE OF DISEASE STATE
HAVING A MOLECULAR WEIGHT OF 1518 DALTONS
SERIAL NUMBER : 09/845,765
FILING DATE : 04/30/01
ATTY. DOC. NO. : 2132.036

To: The Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION

This is responsive to the Notice to File Missing Parts of
Nonprovisional Application, dated August 30, 2001, with a due date
of October 30, 2001.

Enclosed herewith are the following items:

1. Filing Fee of \$355, as per small entity status (37 CFR 1.27), including surcharge fee of \$65 and additional claims fee of \$255 as noted in attached Preliminary Amendment, to be charged to Deposit Account Number 50-1803, and any additional fees required under 37 CFR 1.15 and 1.17
2. Preliminary Amendment
3. Signed Declaration
4. Formalities Letter.

Having now complied with all of the outstanding filing requirements, Applicant respectfully requests that this application be placed upon the files for examination.

Respectfully submitted,

Date: 09/10/01

By: Ferris H. Lander

Ferris H. Lander

Reg. No. 43,377

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/845,765	04/30/2001	George Jackowski	2132.036

CONFIRMATION NO. 4961

FORMALITIES LETTER

OC00000006485191

Michael A. Slavin
McHale & Slavin, P.A.
4440 PGA Blvd., Suite 402
Palm Beach Gardens, FL 33410

Date Mailed: 08/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice **MUST** be returned with the reply.



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE